

## **ARTICLE 38**

### **CONTRACTING WORK OUT**

#### **1. General:**

- a. Management agrees to provide the Union an opportunity for predecisional involvement related to review of commercial activities and A-76 processes pursuant to Office of Management and Budget Circular A-76.

Management will notify the Union of functions planned for study concurrently with notice to field Management and will consider their input.

- b. In accordance with Article 11, Management agrees to notify the Union when a decision is made to contract out work that affects the working conditions of Bargaining Unit employees and will negotiate implementation, as appropriate.

- c. Management will notify the Union of any change in applicable law, rule, or regulation relating to contracting out work that affects either the Union or Bargaining Unit employees.

- d. Prior to conducting any cost comparison study of Bargaining Unit work, Management may consider innovative alternatives such as High Performance Work Organizations, Business Process Reengineering, etc.

- 2. Upon request, Management will provide the Union representative at the appropriate level with all available and releasable information.

- 3. Management will provide an opportunity, upon request, for a Union representative in the “walk through” by bidders of the function undergoing a cost study or a contracting decision that affects Bargaining Unit employees.

- 4. The Union, upon request, may attend public bid openings and review independent Government estimates at the time of openings. They also may review in-house cost estimates under the provisions of the A-76 Circular.

5. Management will provide appropriate assistance to employees adversely impacted by contracting out decisions. Parties at the appropriate level may negotiate specific appropriate arrangements.
6. Management will post a notice to the workforce about employee responsibilities in regard to reporting fraud, waste, and abuse related to contracted services.
7. Management agrees to provide the Union an opportunity for predecisional involvement related to development and implementation of insourcing guidelines.